

UNITED STATES DISTRICT COURT

DISTRICT OF NEW HAMPSHIRE

Xanoptix, Inc.
n/k/a Cubic Wafer, Inc.

v.

Civil No. 08-cv-228-JL

Mintz, Levin, Cohn, Ferris,
Glovsky and Popeo, PC

O R D E R

The Preliminary Pretrial Conference was held in chambers on
July 21, 2008.

The Discovery Plan (document no. 8) is approved as
submitted.

By agreement of the court and the parties, the following are
stricken without prejudice to being asserted later upon
evidentiary support:

- the following affirmative defenses: #4 (waiver) and #6
(estoppel).

SO ORDERED.



Joseph N. Laplante
United States District Judge

Dated: July 21, 2008

cc: Andrew B. Livernois, Esq.
William C. Saturley, Esq.